

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

September 6, 2007

In the Matter of
John Levie

Docket No. 2006-082
File No. W04-0949
Gloucester, Massachusetts

FINAL DECISION

I have reviewed the attached Settlement Agreement signed by the parties to this appeal: (1) the applicant John Levie on July 24, 2007; (2) the petitioners' representative Catherine A. Henry on August 30, 2007; and (3) Richard J. Chalpin on September 11, 2007, in his capacity as Regional Director of the Northeast Regional Office of the Massachusetts Department of Environmental Protection ("MassDEP" or "the Department"). The Department issues this Final Decision incorporating the Settlement Agreement, and the proposed Final License to be issued pursuant to the Massachusetts Public Waterfront Act, G.L. c. 91, and the Waterways Regulations at 310 CMR 9.00.

The proposed Final License is referred in ¶ 8 of the Settlement Agreement, is attached to the Settlement Agreement, and is entitled "License pursuant to M.G.L. c. 91, Waterways Application No. W04-0949, 47R Parker Street, Gloucester, Filled and Flowed Tidelands of Gloucester Harbor, Gloucester, Essex County." In accordance with the parties' request in their Joint Motion to Approve Settlement Agreement, MassDEP personnel are directed to continue processing the proposed Final License for final issuance. This directive includes MassDEP



personnel collecting any applicable fees, and required signatures or approvals of any Commonwealth personnel prior to issuance of the Final License.

Under the terms of 310 CMR 1.01(8)(c), these proceedings are dismissed with the parties waiving whatever rights they may have to further administrative review before the Department as well as appeal to court.

This final document copy is being provided to you electronically by the
Department of Environmental Protection. A signed copy of this document
is on file at the DEP office listed on the letterhead.

Laurie Burt
Commissioner

SERVICE LIST

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Representative

Party

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Date: September 19, 2007